



Certain types land uses deserve special development consideration through the Conditional Use Permit process. Because of their potential impacts and unusual characteristics, Conditional Uses require review on a case-by-case basis so that they may be located properly with respect to the objectives of the Zoning Ordinance and their effects on surrounding properties. Approval of Conditional Use Permits is at the discretion of the Planning and Zoning Commission. Examples of Conditional Uses include, but are not limited to:

Cottage Industries

certain Commercial and Industrial uses

contractor's yards

outdoor storage yards

subdivision sales offices

churches

educational institutions

community service agency camps

bed & breakfasts

and others

Here you'll find highlights of Conditional Use Permits, application procedures, and important timeframes. Contact the Coconino County Community Development Department for more information and a complete application packet.

APPLICATION FEES

- Nonprofit organization uses—churches, schools, camps, group homes: \$400
- Single family residential—guest houses, residential in commercial zones, living quarters, replacement of nonconforming use: \$400
- Public utility substation, subdivision sales office, model homes, heliports/airports, fire stations: \$600
- Multiple family residential in RM Zone: \$600 + \$10/unit
- Commercial in G and AR Zone: \$600 + \$50/acre over one acre
- Commercial or industrial in Commercial or Industrial Zone: \$600 + \$100/acre over one acre
- Expansion of nonconforming commercial use: \$600 + \$50/acre over one acre
- Renewal of existing Conditional Use Permit (except single family residential and nonprofit): \$600
- Additions/modifications to existing commercial Conditional Use Permit: \$600
- Cottage Industry or Bed & Breakfast: \$400

NOTE: A \$200 discount is applied when a Conditional Use Permit application is filed in conjunction with a request for a Zone Change. Fee schedule effective August 2012. The fee schedule is subject to change by action of the Board of Supervisors. Contact the Community Development Department for current fees.

Contact the Community Development Department for more information about Conditional Use Permits

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APPLYING FOR A

CONDITIONAL USE PERMIT



COCONINO COUNTY
COMMUNITY DEVELOPMENT
DEPARTMENT



The Conditional Use Permit Application Process

PRE-APPLICATION MEETING

Prior to the submission of an application for a Conditional Use Permit, the applicant should schedule a pre-application meeting to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys, and other data.

THE CITIZEN PARTICIPATION PLAN

Prior to submittal of an application, the applicant must prepare a Citizen Participation Plan in accordance with Section 30.3 of the Zoning Ordinance. This requires the applicant to contact neighbors in the vicinity and other affected property owners and to hold a neighborhood meeting to provide neighbors an opportunity to understand the project and to provide comments directly to the applicant. The Citizen Participation Plan is discussed at the required pre-application meeting. The intent is for affected neighbors and other parties to be informed and involved from the earliest stages of the review process.

APPLICATION & PRELIMINARY REVIEW

Upon completion of the above requirements, a formal application for a Conditional Use Permit can be submitted. Complete applications will then be scheduled for a Planning and Zoning Commission Study Session one month prior to the formal public hearing.

Prior to the Study Session each application is assigned to one of the County's staff planners. The planner assigned to the case may contact the applicant for additional information as necessary.

A staff review meeting occurs at 3pm and the Commission Study Session occurs at 4pm at the County Administrative Center. Applicants are encouraged to attend to respond to questions raised by Commission members and staff. The intent is for the Commission to raise potential concerns for staff to investigate during the review process.

LEGAL NOTICE

A minimum of fifteen days prior to the Commission hearing, the case is advertised in the Legal Notice section of the local newspaper, a sign containing a description of the proposal is posted on the property,

and all property owners within 300 feet are notified by mail. When the property is being posted, staff will make a site investigation looking at adjacent land uses and analyzing the potential impacts of the Conditional Use.

THE STAFF REPORT

About two weeks prior to the public hearing, staff prepares a report evaluating the application. This is provided to the applicant during the week prior to the hearing.

The staff report generally includes a recommendation for approval or denial, and includes conditions which must be met in order to establish and operate the use. Applicants should review the recommended conditions and be prepared to discuss them at the hearing. It often helps to discuss the conditions with the planner who prepared the report prior to the hearing.

P&Z COMMISSION HEARING

At the hearing, cases are called in the order shown on the agenda. Sometimes staff can estimate when cases will come up, but to be safe applicants should be there at the start of the 5:30pm hearing. When the case comes up staff presents the report and recommendation.

After staff's presentation, the applicant will have an opportunity to make a brief presentation. Following questions to the applicant, the Commission Chairman opens the hearing for public comment. Anyone with comments pertinent to the case will be heard. In reaching a decision, the Commission considers the staff report, as well as the presentation of the applicant, public testimony, and their own knowledge of the area.

The Commission then acts on the application by approving the case with conditions as recommended by staff or as modified by the Commission at the hearing, or they may deny the request. If the Commission decides that more information is needed, they may continue the hearing to a future date.

APPROVAL & APPEALS

The action of the Commission is final unless an appeal is filed within fifteen calendar days. If the case is denied or if one or more of the conditions are unacceptable, the applicant may appeal to the Board of Supervisors. If the case is approved, an opposing neighbor or other affected party may appeal.

An appeal must be made in writing to the Director of Community Development, including the reasons for the appeal; a nonrefundable \$300 appeal fee is also required. If an appeal is filed, a hearing is scheduled before the Board of Supervisors approximately seven weeks after the Commission hearing. The process—legal advertising, posting, notification of property owners, staff report, and hearing—is identical to the Commission hearing.

The effective date of a Use Permit is fifteen days after the Commission decision, or, if an appeal is filed, immediately after the Board hearing. Generally, conditions of approval must be fulfilled prior to commencement of the use unless specified differently by the Commission. The use must be commenced or a building permit issued within one year of the granting of approval, or the Use Permit lapses and becomes void. A one-year extension may be granted by the Commission if a letter requesting extension is filed before the year is up.

FINDINGS OF FACT FOR CONDITIONAL USE PERMITS

Pursuant to Section 30.4-7 of the Coconino County Zoning Ordinance, the Planning and Zoning Commission must make the following findings in order to approve a Conditional Use Permit:

1. That the proposed location of the Conditional Use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.
2. That the proposed location of the Conditional Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed Conditional Use will comply with each of the applicable provisions of the County Zoning Ordinance, except for approved variances.
4. That the proposed Conditional Use is consistent with and conforms to the goals, objectives, and policies of the Comprehensive Plan or Specific Plan for the area.